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April 22, 2013

BY ECF

Chambers of the Honorable George A. O'Toole Junior
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 2300
Boston, Massachusetts 02210

***Stephen D. Sirabella v. Coalition to Advance the Protection
of Sports Logos d/b/a CAPS, No 1:12-CV-12188-GAO***

Dear Judge O'Toole:

We represent the defendant in the above-captioned case, Coalition to Advance the Protection of Sports Logos ("CAPS").

The Complaint seeks a Declaration that Plaintiff Stephen D. Sirabella is not infringing the trademark rights of CAPS' members when he sells versions of college and professional sports teams' championship rings. After having conferred with Mr. Sirabella pursuant to Local Rule 7.1(a)(2), CAPS timely filed a motion to dismiss the Complaint (Docket Nos. 10-12) (the "Motion") for lack of personal jurisdiction. Any opposition to the Motion was due on February 26, 2013.

The motion remains unopposed, nearly eight weeks later. Out of an abundance of caution, recognizing Mr. Sirabella claims to proceed *pro se*, we alerted him to his deadline and inquired if he would ask for additional time to respond. At no point, either back then or since, has Mr. Sirabella ever indicated any intention of responding to the motion and has taken no apparent steps to do so.

Defendant CAPS now formally requests that this Court consider the Motion unopposed and rule on it accordingly.

Respectfully,

/s/Bruce P. Keller
Bruce P. Keller (BBO #264980)
DEBEVOISE & PLIMPTON LLP
Attorneys for Defendant

cc: Stephen D. Sirabella

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2013, this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to Stephen D. Sirabella, who is indicated as a non registered participant, at the following address:

Stephen D. Sirabella
35 Northhampton Street #1001
Boston, MA 02118

Pursuant to 28 U.S.C. § 1746, I certify under the penalty of perjury that the foregoing is true and correct.

Executed on April 22, 2013.

/s/ Bruce P. Keller

Bruce P. Keller